



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter DRÖSCHER et al

Serial No.: 09/063,680

Filed: September 27, 2001

For: 1. METHYLENE STEROIDS, PROCESS FOR THEIR PRODUCTION AND
PHARMACEUTICAL COMPOSITIONS THAT CONTAIN THESE COMPOUNDS

Group Art Unit: 1616

Examiner: QAZI, Sabiha Naim

LETTER TO THE PTO

Via Fax: 571-273-0622

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

*Please correct the
filing date. 502
9/28/04*

Sir,

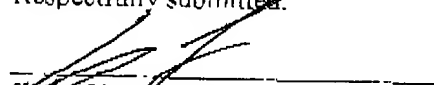
Further to a request from the Examiner on the telephone on September 28, 2004, attached is the first filing receipt issued in the above application which has the correct filing date of September 27, 2001, on it Applicants properly claimed priority to US Provisional 60/243,281, filed on October 26, 2000, which is reflected on this filing receipt. Applicants incorrectly claimed priority to a foreign application more than a year after its filing, which is also reflected on this filing receipt.

After a Missing Parts Action dated October 5, 2001, for the filing fee, additional claim fees, and an Oath or Declaration, a new filing receipt was issued with a new filing date of January 21, 2002. This new filing date given is in error.

In fact, the correct filing date of the application is September 27, 2001, and priority is claimed to US Provisional 60/243,281, filed on October 26, 2000.

A formal request for a correct filing receipt will be filed in the near future.

Respectfully submitted,


Csaba Horvath, Reg. No. 50,908
Anthony J. Zelano, Reg. No. 27,969
Attorney for Applicant(s)

MILLEN, WHITE, ZELANO

& BRANIGAN, P.C.

Arlington Courthouse Plaza I, Suite 1400

2200 Clarendon Boulevard

Arlington, Virginia 22201

Telephone: (703) 243-6333

Facsimile: (703) 243-6410

Attorney Docket No. JENA-1

Date: September 28, 2004

Attachment: Letter to PTO Sep 04.doc

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 29 2001

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/963,680	09/27/2001	1614	0 00	JENA-1		10	1

23599
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

CONFIRMATION NO. 8999

FILING RECEIPT



0C000000006869345

Date Mailed: 10/25/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Bernd Menzenbach, Jena, GERMANY;
Peter Droscher, Weimar, GERMANY;
Walter Elger, Berlin, GERMANY;
Alexander Hillisch, Jena, GERMANY;
Gunter Kaufmann, Jena, GERMANY;
Hans-Udo Schweikert, Bonn, GERMANY;
Ge d Muller, Jena, GERMANY;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/243,281 10/26/2000

Foreign Applications

GERMANY 100 43 846.6 09/04/2000

If Required, Foreign Filing License Granted 10/24/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

17-methylene steroids, process for their production and pharmaceutical compositions that contain these compounds

Preliminary Class:

512

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)), the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)), the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).